

Aug 08, 2018

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

MARY C.,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:17-cv-03188-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 22, 32

BEFORE THE COURT is the parties' Stipulated Motion for Remand (ECF No. 32) of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Leisa Wolf represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8. After considering the file and proposed order, **IT IS HEREBY**

ORDERED:

1. The parties' Stipulated Motion for Remand (**ECF No. 32**) is
GRANTED.

1 2. The above-captioned case is **REVERSED** and **REMANDED** to the
2 Commissioner of Social Security for further administrative proceeding pursuant to
3 sentence four of 42 U.S.C. § 405(g).

4 Pursuant to the parties' Stipulation, on remand the Appeals Council will
5 determine whether the record supports a finding of disability. If the record requires
6 further development, the Appeals Council will remand the case to an administrative
7 law judge (ALJ), who shall update the medical records and issue a new decision.

8 The ALJ shall also:

- 9 • Reevaluate the medical opinions of record indicating the weight assigned
10 to each opinion with specific reasoning and citing the evidentiary basis for
11 the conclusions;
12 • Obtain evidence from a medical expert to assist in clarifying the nature,
13 severity, and limiting effects of Plaintiff's impairments during the relevant
14 period;
15 • Reevaluate Plaintiff's maximum residual functional capacity during the
16 relevant period and if necessary, obtain vocational evidence to reevaluate
17 steps four and five of the sequential evaluation process in order to clarify
18 the effect of the assessed limitations on Plaintiff's occupational base; and
19 • Take any further action needed to complete the administrative record and
20 to issue a new decision.

ECF No. 32 at 1-2.

3. Judgment shall be entered for **PLAINTIFF**.

4. Plaintiff's Motion for Summary Judgment (**ECF No. 22**) is **STRICKEN**
AS MOOT.

5. Upon proper presentation, this Court will consider Plaintiff's application
for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

1 The District Court Executive is directed to enter this Order, **enter Judgment,**
2 forward copies to counsel, and **CLOSE THE FILE.**

3 DATED August 7, 2018.

4 s/Mary K. Dimke
5 MARY K. DIMKE
6 UNITED STATES MAGISTRATE JUDGE
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